

ISSN INTERNATIONAL
STANDARD
SERIAL
NUMBER
ISSN-2321-7065

IJELLH

International Journal of English Language, Literature in Humanities

Indexed, Peer Reviewed (Refereed), UGC Approved Journal



Volume 7, Issue 2, February 2019

www.ijellh.com

G.Kalpana

Ph.D Research Scholar, Department of English

A.V.V.M. Sri Pushpam College,

Poondi, Thanjavur, Tamilnadu, India

tnjkalpana@gmail.com

Dr.K.Sivakumar

Research Supervisor, Associate Professor of English,

A.V.V.M. Sri Pushpam College,

Poondi, Thanjavur, Tamilnadu, India

De- silencing the Silence Legal Institutionalization of a Woman's Victimization in Vijay

Tendulkar's Silence! The Court Is In Session

Abstract: Silence! The Court is in Session is a self-reflexive play highlighting the theatrical aspects of the drama. The plot is that of a play within a play, toying with the idea of play/performance and reality. The play succeeds in exposing the double standards of bourgeois society and the failure of legal system in guaranteeing the right to equality. This interplay between the real and the fictional adds complexity to the play. Whenever the situation becomes out of control, the pretext of fiction is resumed. The cruelty of society, the bourgeois conservatism and the inherent patriarchal attitude are manifested through the pretension of play-acting. Whatever the other characters represent in real life and what they pretend to be, everything gets exposed through the proceedings of the mock-trial.

Keywords: Bourgeois Society, Patriarchal order, Aesthetic etc

Miss. Beneare, the protagonist of the play, is not only condemned but is also penalized for the non- conformism and independence that she exhibits. During the play, enough hints are dropped to suggest that Miss Benare is to be targeted for her refusal to conform to the conventional institution of matrimony and for exercising independent sexuality. It is this non-conformist sexuality which threatens the world of Mr. Kashikar. Mrs. Kashikar, Sukhatme, Ponkshe, et al. The malicious and almost sadistic pleasure they get in taking advantage of Miss Benare's situation reveals their own bourgeois hypocrisy and conservatism.

Miss Benare's vulnerability lies in her gendered position. Miss Benare is shown to be a modern woman who is young, economically independent and enjoys a comfortable social position without the guardianship of a husband. Her life is located outside the drudgery of domestic chores. She is seen as an attractive woman because of her liberated life style. However, towards the end she is not only accused but also condemned for exercising that independence. Mrs. Kashikar is characterized as a contrast to Miss Benare, acting as the custodian of bourgeois morality. Even though she keeps the pretension of marital chastity, their marital relationship is always under public scrutiny and both spouses do not refrain from flirting with others. She is often ridiculed by the other male characters and is frequently chastised by her husband Mr. Kashikar. She participates wholeheartedly in targeting Miss Benare. However, it is quite interesting to note that the attempt is to 'deprive both women of agency. Both are trapped in the patriarchy order. The only difference is that while Mrs. Kashikar has internalized the middle class notions of morality and ideal feminine behaviour, Miss Benare openly challenges them. However, the crucial question is whether she manages to actually challenge/ threaten the patriarchal order. Is her subversive potential carried to its logical conclusion?

The only chance she gets to present her case is just before the punishment is pronounced. In her final speech, she defends her case on the basis of right to private life

premised on the dichotomy of the personal and the public domain. She also tries to assert her social role by claiming a kind of professional competence. She says that in spite of the hardships that she faced in society, she taught children to be happy, to see beauty and inspired them to be optimistic. And yet she is to be dismissed from her job because she does not care for social norms! She observes people's faces and comments, "These are mortal remains of some cultured men of twentieth century. See their faces—how ferocious they look! Their lips are full of lovely worn out phrases! And bellies are full of unsatisfied desires." She critiques this veneer of culture which hides any attempt to acknowledge desire. Her open acknowledgement of the bodily desire is an attack on bourgeois hypocrisy. It is the middle class sentimentality about emotions and spirituality and the denial of body and sexuality which leads to double standards. The discourse of desire that is invoked is inevitably linked to the body. According to Miss Benare, it is the existence of body which is the only tangible reality—it is the source of pleasure and it is also the site of punishment. It is deeply personal and individualistic and, at the same time, it is open for public inscription.

The tone of her final speech is confessional and almost apologetic. In spite of the harsh provocation by others, she does not retort angrily. On the contrary, she accepts that her life has been a series of adventures which society brands as forbidden. She experienced love twice; first when she was fourteen years old with her maternal uncle and second with Professor Damle as a grown-up woman. Her first love was an incestuous love and the second one is unwedded love. Both times her experience of love turned out to be a threat to bourgeois morality. However, her unconventional experiences do not give her the strength to overcome the impositions of society; rather, her last speech recedes into existential angst claiming that "... Life is a something that's nothing or a nothing that's something 'Life is not worthy of life'." Miss Benare, does not have the opportunity to question the fundamental principles of such a society. She fails to critique this society where the males exploit her thoroughly and then walk away

freely without facing any repercussions. Tendulkar has been careful enough not to present Professor Damle on stage. Even when he is not actually present, his presence seems to haunt the proceedings. The entire trial is fought in absentia. In fact, his absence is a metaphor for power bestowed upon masculinity, the exclusive power without any responsibility. The burden of responsibility lies upon the woman. She is answerable for it and has to bear its consequences. There is a complete silence on Professor Damle's role in this episode and the onus violation of chastity is on the woman. Miss Benare's final assertion is hardly any reply to the verbal assault that she has gone through. The play is structured around her silence and verbal criticism by others. Her helplessness and her inability to find an exit point becomes a metaphorical trapping in which a woman often finds herself in.

The mock-trial in the play severely critiques the legal system in which ostensibly modern laws and traditional practices seem to coexist without any contradiction. Miss Benare is accused of the crime of infanticide under Section 302 of the Indian Penal Code. However, her crime is further elaborated as a crime against the universal notion of 'Motherhood' and eventually becomes... 'Na swatantryamarhati' (woman is not fit for independence). It is interesting to witness how the counsel for the accused pleads her case against such accusations. Most of the witnesses are absent and when the council wants to cross-examine other witnesses, the permission is denied. One can dismiss this trial as a farce rather than entertaining it as a representation of the legal system. The legal discourse which is used to articulate private affairs gives a certain sense of moral authority to this kind of public intervention in an extremely private, individual matter. The mock-trial overtly expresses the possibility of manipulation and discrimination on the basis of sex/gender rampant in legal practices. The accused is only allowed to speak briefly before the pronouncement of the punishment. However, it is the punishment which is anti-climactic. It is during the declaration of the punishment that the bourgeois morality exposes its ugly face and secret fears. The same court where Miss Benare

is accused of infanticide, of a crime against motherhood, condemns her to live while orders the 'destruction' of the infant. Therefore, the entire court proceeding becomes self-contradictory. It clearly reveals that the matter of concern is not infanticide rather; it is the proliferation of illegitimate children which threatens this society. Such children, who are born out of the conventional wedlock, are considered potential dangers to society and their elimination is almost justified in the end. We see a representation of a failed legal system unable to ensure any constitutional rights. The play attempts to unravel a biased and prejudiced judiciary which cannot fulfil the basic requirements of natural justice. Instead, its workings are dependent on the prevailing dominant ideology and consequently it is used to victimize and contain any subversive voice against the dominant ideology. It serves the purpose of what Althusser calls the "repressive state apparatus", conforming to the dictates of bourgeois morality.

The purpose of mock-trial is to either satirize the existence of a flawed legal system or it can also be used to reinforce the dominant ideology in a subtle manner. Generically, parody belongs to the realm of aesthetics. As the literary theorist Linda Hutcheon puts it, "parody ... is imitation with a critical difference, not always at the expense of the parodied text." Here, parody is used to raise some fundamental questions regarding the legal system. It is critical of the way patriarchal power operates through the legal system. However, since the structure of the play is that of a 'play within a play', a rehearsal before the grand finale, almost a backstage jest played to utilize the free time, it also contains an element of self-parody. The satire is also directed towards the aesthetic realm. The realm of aesthetics is generally understood in exclusive terms where there is a deliberate distancing from the real and the mundane activities. Here, we get a chance to meet the actors behind the curtains. The backstage is a space which is not open for public gaze. The attempt is to locate these characters in their own lives and to expose their reality through their interaction with the world around them. There is no distinction between the character and the actor and therefore we get a chance to see their ugly and

hypocritical ideas and their crassness which makes them as much part of the bourgeois world, as any other character they ever played. There is a deliberate reference to the fact that this reality will remain hidden from the viewers when the actual play would be performed at night. The assumed audience will only see them as characters, as performers enacting some fictional representations. The persona of the actor forever remains elusive and distanced. And, therefore, the aura around the aesthetic realm will be maintained.

However, Tendulkar precisely attacks this exclusive testistir. Tace and tries to state that the aesthetics is only part of the larger sociological context. Tendulkar wants to remind the audience that the actors are also part of the same society and share the same bourgeois morality. The play succeeds in shocking the audience because it is played out in the realm of aesthetics. This realm is still regarded as the liberal and the radical space and therefore the depiction of conservatism and narrow-mindedness questions the radical potential of such a space. The play brutally demystifies the aura of the aesthetic. The other characters, after thoroughly harassing, criticizing and condemning Miss Benare, want to resume 'normalcy', pretending that whatever happened was only a fictional representation. They all immediately change their tone and gesture, but Miss Benare is unable to camouflage her emotions. She is completely devastated and sinks into silence. Her response is the only testimonial of the fact that the play was not the play and the mock trial was in fact a trial sanctioned by society. Even though the trial flouts the legal proceedings, it succeeds in providing legitimacy to the penalizing and victimization of a woman. And this legitimacy is sought in the name of fictional representation.

The politics of aesthetics here is to unveil or unmask its own inherent contradictions. Tendulkar seeks to undermine the radical pretensions of the aesthetic world. This world is full of inherent rivalries and competitiveness. It allows a very limited space to women and any attempt to transgress the sanctioned space results in their further marginalization. If we

interrogate this further, it would not be difficult to say that regressive politics is sometimes played under the guise of aesthetic.

Reference

Tendulkar, Vijay, *Silence! The Court is in Session*, (Trans.) Priya Adarkar in Vijay

Tendulkar, *Five Plays*, Oxford University Press, New Delhi, 1992.